

MDL No. 1871
2:07-md-01871-CMR

**THIS DOCUMENT RELATES TO:
ALL ACTIONS**

NOW INTO COURT, pursuant to Case Management Order No. 1, comes Vance Robert Andrus, who respectfully files the attached Application for appointment as a member of the Avandia Marketing, Sales Practices, and Products Liability Litigation Plaintiffs' Steering Committee and states the following:

His ability to work cooperatively with others is demonstrated by the professional and civil manner of his interactions with fellow Plaintiffs' counsel and with Defense counsel. For example, Mr. Andrus led a pre-trial planning session attended by fifteen Plaintiffs' counsel and six Defense counsel. By all accounts, that meeting and subsequent meetings have been held in a courteous, pleasant, and efficient manner. Mr. Andrus believes in consensus decision-making, and has conducted himself throughout these proceedings in an even-handed manner.

Mr. Andrus is a 1972 graduate of the LSU Law School where he served on the Law Review and as the legal research assistant to Professor George Pugh. Subsequently, he served as the law clerk for the Honorable Justice Al Tate of the Louisiana Supreme Court (who subsequently served on the U.S. 5th Circuit Court of Appeals). Thereafter, he worked as defense counsel for the firm of Voorhies and Labbe and also founded the defense firm of Andrus, Preis, and Kraft in Lafayette, LA. In 1987, he founded the plaintiff firm today named Andrus, Boudreaux, PLC and has extensive trial experience both as plaintiff and defense counsel.

Mr. Andrus has published articles in the LSU Law Review, co-authored with Justice Tate in the Tulane Law Review and published in the Louisiana Bar Journal. He has lectured extensively to the LA Association of Defense Counsel, the LA Trial Lawyers' Association, and Mealey's National Mass Tort Conferences on Baycol, Vioxx, Fen-Phen, Breast Implants, Avandia, Kugel Mesh, and other Mass Torts. He also twice served as Co-Chair of the national Mealey's Conference on Complex Litigation, and has spoken on mass tort matters for the Mass Torts Made Perfect seminar series. Additionally, Mr. Andrus has served as a co-chair and/or speaker on over twenty national and regional CLE Seminars, particularly with regard to Mass Torts Litigation.

Mr. Andrus served for nine years as Chair of the Spitzfaden Breast Implant PSC in New Orleans. As such, he led a team of 23 law firms in simultaneous class action proceedings against Dow Chemical Corporation, Baxter Healthcare, 3M, Inc. and BritolMyersSquibb. Mr. Andrus directed the activities of the Spitzfaden PSC, appointed all committees, and served as a member of each. He also coordinated efforts amongst a host of outstanding trial lawyers who headed up various trial teams and settlement committees. Mr. Andrus also supervised the day to day operations of the central office staff and depository, and, together with another member, argued virtually all pre-trial motions and appellate proceedings.

At present, Mr. Andrus serves as a member of the PSC and PSC Executive Committee as Coordinating Counsel in the Fosamax Products Liability Litigation, MDL 1789, US DC, S. D. NY, Honorable John F. Keenan presiding. In another mass tort action, Mr. Andrus served as Chair of the ICON Class Action in the 27th JDC, St. Landry Parish, LA, a suit brought by over 1,000 crawfishermen against the manufacturers of a chemical which killed the crawfish crops in South Louisiana. Mr. Andrus also serves as a member of the PSC in the Kugel Mesh MDL No. 1842.

In the Vioxx litigation, Mr. Andrus not only co-chaired two national Vioxx conferences, and spoke on the subject at two others, but he also played the part of Merck's defense counsel at the

ATLA mock trial before over 200 Plaintiffs' counsel in New Orleans. There, Mr. Andrus did Merck's closing argument on the science.

Mr. Andrus and his litigation groups have represented clients in the vast majority of Pharmaceutical Multi-District Litigation cases filed in the last fifteen years. Mr. Andrus is Counsel or Co-Counsel in various combinations with six different law firms for over 300 Avandia clients who will have claims in this MDL.

Mr. Andrus is also recognized for his ability to work with defense counsel. As a former member of the LA Association of Defense Counsel and after 15 years as a defense lawyer, Mr. Andrus has a special insight into the attitudes of, and difficulties faced by, defense counsel. His record of success in resolving disputes through negotiation demonstrates this cooperative attitude. In his thirty-plus years at the bar, Mr. Andrus has never once been admonished by any Court for a lack of civility or professionalism, nor has he been the subject of any disciplinary action brought by any Court or Bar Association. He has previously served as a member of the Board of the LA Association of Defense Counsel as well as that of the LA Trial Lawyers' Association and a member of the House of Delegates of LA State Bar Association. He is a member of the LA Bar Foundation and is AV rated by Martindale-Hubble.

Mr. Andrus maintains a fully staffed mass torts office in Denver, CO actively representing Vioxx, Guidant, Kugel Mesh, Fosamax, and Ortho Evra clients. He presently has time, financial resources, and energy available for this project, as well as an active interest in this project. WHEREFORE, Vance Robert Andrus respectfully requests appointment by this Honorable Court to the Plaintiffs' Steering Committee, and further should this Court be so inclined, to a leadership role within the PSC.

Respectfully submitted,

ANDRUS BOUDREAUX, PLC

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